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From: **Michael I. Angert** Date: **May 13, 2005**
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Client/Matter: **12177/57002** Total number of pages: **9**
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RE: U.S. Patent Application No. 09/825,894
Kenyon & Kenyon Docket No. 12177/57002

Please find attached:

1. Certificate of Transmission (1 page);
2. Transmittal of Terminal Disclaimer (2 pages, in duplicate);
3. Terminal Disclaimer to Obviate a Double Patenting (1 page);
4. Copy of Revocation of Prior Powers of Attorney, New Power of Attorney, and Identification of Correspondence Address from parent application Serial No. 08/868,401 (now US Patent No. 6,239,719 B1) as filed on February 12, 2002 (1 page); and
5. Copy of USPTO date-stamped postcard receipt acknowledging the USPTO's receipt of item 4, above (1 page).

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PTO/SB/97 (35-00)

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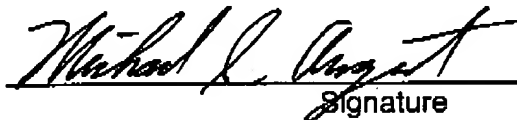
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All papers concern U.S. Patent Application **Serial Number 09/825,894**

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Attorney Docket No. 12177/57002

Docket No. 12177/57002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR:

HOPKINS, Oliver Mason

APPL. NO. 09/825,894

FILING DATE: April 5, 2001

TITLE: A Method For Time-Stamping a
Message based on a Recipient
Location

GROUP ART UNIT: 2661

EXAMINER: WILSON, Robert W.

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**TRANSMITTAL OF TERMINAL DISCLAIMER**

Sir:

Claims 1-2 and 7-10 are pending in this application. Applicant sincerely thanks the Examiner for advising Applicant's representative by telephone on May 4, 2005 that, but for any double patenting rejections set forth in the Office Action mailed October 27, 2004, the application is in condition for allowance. With this transmittal, Applicant complies with the Examiner's request to submit, by facsimile, a Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent. Accordingly, as the filing of the attached Terminal Disclaimer renders the remaining double patenting rejections moot, Applicant respectfully requests allowance of the application.

Documents concurrently filed at the USPTO's Attorney Window (for recordation) identify a chain of title from AT&T Wireless Services, Inc. to Cingular Wireless II, Inc. The present owner of 100% interest in this application is Cingular Wireless II, Inc.

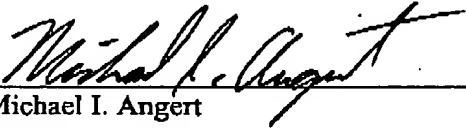
Attached herewith are copies, from parent application Serial No. 08/868,401 (now US Patent No. 6,239,719 B1), of a "Revocation of Prior Powers of Attorney, New Power of Attorney, and Identification of Correspondence Address" (the "Revocation and New Power") and of a USPTO date-stamped receipt acknowledging the USPTO's receipt of the Revocation and New Power. The Revocation and New Power establishes that the practitioners at Customer No. 23,838 are attorneys of record.

Docket No. 12177/57002
Appln. No. 09/825.894

Please charge the fee pursuant to 37 C.F.R. § 1.20(d) in the amount of \$110 to Deposit Account 11-0600. Additionally, the Office is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account 11-0600. A duplicate of this sheet is included for this purpose.

Respectfully submitted,

Date: May 4, 2005


Michael I. Angert
Reg. No. 46,522

Kenyon & Kenyon
1500 K Street, NW, Suite 700
Washington, D.C. 20005-1257
Tel: (202) 220-4393
Fax: (202) 220-4201

Docket No. 12177/57302

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR:

HOPKINS, Oliver Mason

APPL. NO. 09/825,894

FILING DATE: April 5, 2001

TITLE: A Method For Time-Stamping a
Message based on a Recipient
Location

GROUP ART UNIT: 2661

EXAMINER: WILSON, Robert W.

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**TRANSMITTAL OF TERMINAL DISCLAIMER**

Sir:

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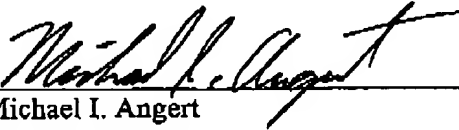
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Docket No. 12177/57002
Appln. No. 09/825,894

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Respectfully submitted,

Date: May 4, 2005


Michael I. Angert
Reg. No. 46,522

Kenyon & Kenyon
1500 K Street, NW, Suite 700
Washington, D.C. 20005-1257
Tel: (202) 220-4393
Fax: (202) 220-4201

PTO/SI/26 (09-04)

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
12177/57002

In re Application of: Oliver Mason HOPKINS

Application No.: 09/025,894

Filed: April 5, 2001

For: A Method for Time-Stamping a Message Based on a Recipient Location

The owner*, Cingular Wireless II, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,239,719 B1 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent. "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 46,522


Signature

May 13, 2005
Date

Michael I. Angert
Typed or printed name

05/16/2005 JALINAN 00000023 110600 09825894

01 FC:1814 130.00 DA

202-220-4393
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

COPYPATENT
Atty. Docket: 12177/33101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application no. 08/868401
Filed: Jun 03, 1997
For: Method For Time-Stamping A
Message Based On A Recipient
Location

**REVOCATION OF PRIOR POWERS OF ATTORNEY,
NEW POWER OF ATTORNEY, AND
IDENTIFICATION OF CORRESPONDENCE ADDRESS**

AT&T Wireless Services, Inc., the assignee of the above-referenced application, hereby revokes all powers of attorney or authorizations of agent previously given in the above-referenced application. Please recognize the practitioners identified below as attorneys or agents to prosecute the application and to transact business in the United States Patent and Trademark Office connected therewith:

Kathleen J. Buckley, Registration No. 40,539;
Jerald J. Gnuschke, Registration No. 42,588;
Brian S. Mudge, Registration No. 40,738;
Robert L. Hails, Jr., Registration No. 39,702; and
all other practitioners identified at Customer No. 23,838.

Please send all correspondence for the application to the address identified for Customer No. 23,838.

Please change the new docket number associated with this application to 12177/33101.

STATEMENT UNDER 37 CFR 3.73 (b)

AT&T Wireless Services, Inc. states that it is the assignee of the entire right, title and interest in the above-referenced patent application by virtue of the assignment from the inventors which was recorded in the United States Patent and Trademark Office at Reel 08852, Frame 0074.

The undersigned is authorized to act on behalf of the assignee.

Respectfully submitted,

Date: January 30, 2002



Kathleen J. Buckley
Corporate Counsel
AT&T Wireless Services, Inc.

COPY

The stamp of Patent Office hereon may be taken as acknowledging the receipt, on the date stamped, of

INVENTOR(S): HOPKINS
SERIAL NO.: 08/868,401
FILED: June 3, 1997
TITLE: A METHOD FOR TIME-STAMPING A MESSAGE BASED
ON A RECIPIENT LOCATION

REVOCATION OF PRIOR POWERS OF ATTORNEY,
NEW POWER OF ATTORNEY, AND
IDENTIFICATION OF CORRESPONDENCE ADDRESS

BMUDGE/cnw

12177/33101

February 12, 2002

